REMARKS/ARGUMENTS

This Amendment is an edited version of the Amendment filed on May 13, 2009 which was considered non-compliant by the Notice of Non-Compliant Amendment mailed August 13, 2009. Please substitute this Amendment for the May 13, 2009 Amendment.

The substantive amendments to the independent claims are a result of telephone and email communications with the Examiner on May 13, 2009. The new limitations restrict the claims to a protocol that includes "a Link Establishment phase and an Authentication phase, wherein initiation of the Link Establishment phase is specified to occur apart from the Authentication phase". For example, the TCP/IP protocol follows this approach.

Importantly, specific acts in the body of the independent claims are now restricted to occur "during the Link Establishment phase." These acts serve to initiate an authentication session during the Link Establishment phase. Such an initiation of an authentication session during a Link Establishment phase is not disclosed or made obvious in the prior art.

Support for the present amendments may be found in the various standards referenced in the originally-filed specification and in standards which are well-known in the art. For example, the following paragraphs from the Amendment dated Sept. 20, 2008 refer to and explain some of the relevant standards:

> L. Blunk & J. Vollbrecht <u>does not discuss link establishment</u>. See, for example, L. Blunk & J. Vollbrecht, at Page 2, Section 1, "This document defines the PPP Extensible Authentication Protocol (EAP). The <u>Link Establishment</u> and Authentication phases, and the Authentication-Protocol Configuration Option<u>, are defined in The Point-to-Point Protocol (PPP) [1]</u>." (underlining added).
>
> This reference [1] in L. Blunk & J. Vollbrecht is a separate paper, called RFC 1661, by W. Simpson which is provided in an IDS with this Amendment and which states at Page 8, Section 3.5, "Authentication SHOULD take place as soon as possible <u>after link establishment</u>." (underlining added). So this prior art clearly teaches that authentication takes place <u>after</u> link establishment and not <u>during</u> link establishment as recited in the present claims.

Applicant respectfully submits that the present claims are in condition for allowance and an early Notice of Allowance is earnestly sought. The undersigned may be contacted at the telephone number below at the Examiner's convenience if it would help in the prosecution of this matter.

Respectfully submitted,

TRELLIS INTELLECTUAL PROPERTY
LAW GROUP, PC

Date: <u>August 31, 2009</u>

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